

UNITED STATES DISTRICT COURTS  
EASTERN DISTRICT OF TEXAS

Tyler DIVISION

**FILED**

NOV 25 2016

Clerk, U.S. District Court  
Texas Eastern

Robert Stanley Miller

Case Number: 6:16-CV-1331  
TWS

Name of Plaintiff(s)

vs

Access MHMR

Name of Defendant(s)

COMPLAINT UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

Note: If plaintiff is alleging employment discrimination based on race or color, please also see 42:U.S.C. 1981

1. This action is brought pursuant to Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is specifically conferred on the court by 42 U.S.C. 2000e-5. Equitable and other relief are also sought under 42 U.S.C. 2000e-5(g).

2.. Plaintiff, Robert Stanley Miller, is a citizen of the United States  
(name of plaintiff)

and resides at 4122 Southpark Dr., Tyler,  
(street address) (city)

Smith, TX, 75703, 936-645-9939.  
(county) (state) (zip) (telephone)

Mailing Address: P.O. Box 9636  
Tyler, TX. 75711

- 3.. Defendant, Access MHR, resides at, or its business is  
(name of defendant)  
located at 1011 College Ave., Jacksonville,  
(street address) (city)  
Cherokee, Texas, 75766, 903-586-0237.  
(county) (state) (zip) (telephone)
4. Plaintiff sought employment from the defendant or was employed by the defendant  
at 1011 College Ave., Jacksonville,  
(street address) (city)  
Cherokee, Texas, 75766.  
(county) (state) (zip)
5. Defendant discriminated against plaintiff in the manner indicated in paragraphs 9 and 10  
of the complaint on or about May 9, 2015.  
(month, day, year)
6. Plaintiff filed charges against the defendant with the Equal Employment Opportunity  
Commission charging defendant with the acts of discrimination indicated in paragraphs  
9 and 10 of this complaint on or about August 21, 2015.  
(month, day, year)
7. The Equal Employment Commission issued a Notice of Right to Sue which was  
received by plaintiff on August 31, 2016.  
(month day, year)

8. Because of plaintiff's (1) ☒ race, (2) \_\_\_\_\_ color, (3) ☒ sex,

(4) \_\_\_\_\_ national origin, defendant:

a. \_\_\_\_\_ failed to employ plaintiff.

b. \_\_\_\_\_ terminated plaintiff's employment.

c. ☒ failed to promote plaintiff.

d. \_\_\_\_\_ Other \_\_\_\_\_

9. The circumstances under which the defendant discriminated against plaintiff were as follows:

*Access MHR treated the plaintiff in a desperate manner based on his sex and his race. The plaintiff was told by his supervisor at that time that "as long as he is a man and black he will not hold a higher position in the company. There were no African American males holding any type of management positions in the company. The plaintiff was denied a promotion which was given to a female of less experience and education despite the fact that the plaintiff holds a master degree and fourteen years experience in his field."*

10. The acts set forth in paragraph 9 of this complaint:

- a. ☒ are still being committed by defendant.
- b. ☐ are no longer being committed by defendant.
- c. ☒ defendant may still be committing the acts.

11. Plaintiff attaches to this complaint a copy of the charges filed with the Equal Employment Opportunity Commission which charges are submitted as a brief statement of the facts supporting this complaint. WHEREFORE, Plaintiff prays that the Court grant the following relief to the plaintiff:

- a. ☐ Defendant be directed to employ plaintiff.
- b. ☐ Defendant be directed to re-employ plaintiff.
- c. ☐ Defendant be directed to promote plaintiff.
- d. ☒ Defendant be directed to Compensate and that the Court grant such relief as may be appropriate, including injunctive orders, damages, costs and attorney's fees.

Robert Stanley Miller  
(Signature of Plaintiff)